30th CONGRESS, 1st Session. [SENATE.] REP. COM., No. 170.

IN SENATE OF THE UNITED STATES.

JUNE 14, 1848.

Submitted, and ordered to be printed.

Mr. YULEE made the following

REPORT:

[To accompany bill S. No. 10.]

The Committee on Naval Affairs, to whom were referred the bill S. 10, for the relief of John R. Bryan, administrator of Isaac Garretson, deceased, late a purser in the United States navy, and the petition of the administrator of said Garretson, report:

Mr. Garretson was a purser from 1822 to 1829 at the Baltimore station. His pay was $40 per month and two rations. It appears that, upon a settlement of the account of this officer, he was found to be in arrears with the government to the amount of $1,392 64, for which a suit was instituted against the administrator of his estate. This balance is proposed to be overcome by a charge of $200 per annum for office rent during the period of his service at Baltimore, which would result in a balance against the United States.

The credit claimed for house rent was properly disallowed by the Auditor, upon the ground that there was no authority for the allowance. On the contrary, the allowance of house rent was *discontinued* in a regulation of the Navy Department of June 17, 1821.

Mr. Garretson accepted the appointment after this order, and the department refused to allow rent at that station until 1831, when it was thought proper to allow $200 per annum. The effect of this allowance now, to the estate of Garretson, would be to overrule the legitimate discretion exercised by the department in refusing allowance for house rent. The committee cannot recommend this course. It is to be presumed the Secretary was better able to judge, at the current time, whether the public interests required such allowance than we can now; and the continuance of Mr. G., in the enjoyment of the office under the restriction imposed, was discretionary.

The committee therefore recommend that the bill do not pass.

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